

REMARKS

Claims 1-2 and 8-11 are pending in this application. By this Amendment, claim 1 is amended and claims 3-7 are canceled. No new matter is added.

I. Support for Claim Amendment

The support for the amendment to claim 1 can be found at least at paragraphs [0030] and [0090] of the specification and in Fig. 10. Thus, no new matter is added.

II. Claim Rejections Under 35 U.S.C. §102

The Office Action rejects claims 1-5, 7, and 11 under 35 U.S.C. §102(b) over JP 09-317452 (JP 452). This rejection is respectfully traversed.

Amended claim 1 recites an exhaust-gas purifying apparatus comprising, in part, "a corrugated and substantially "W"-shaped support disposed in the mantle." JP 452 neither teaches nor suggests this feature.

Thus, withdrawal of the rejection of claim 1 is respectfully requested. Moreover, the withdrawal of the rejection of claims 2-5, 7, and 11 is respectfully requested because of their dependence on claim 1, as well as for additional features they recite.

III. Claim Rejections Under 35 U.S.C. §103

The Office Action rejects claims 6 and 10 under 35 U.S.C. §103(a) JP 452 in view of U.S. Patent No. 4,402,662 (Pfefferle) and WO 99/64732 (WO 732). This rejection is respectfully traversed.

As discussed above, JP 452 does not teach or suggested "a corrugated and substantially "W"-shaped support disposed in the mantle." Neither Pfefferle nor WO 732 remedy the deficiencies of JP 452 because neither Pfefferle nor WO 732 discloses a substantially "W"-shaped support. Thus, withdrawal of the rejection of claim 10 is respectfully requested, at least because claim 10 depends from an allowable base claim.

IV. Double Patenting Rejection

Claims 1-2 and 5-11 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 3-6, and 9-10 of copending Application No. 10/656,121 (the copending application). This rejection is respectfully traversed.

Claims 1-2 and 5-11 are patentably distinct from claims 1, 3-6, and 9-10 of the copending application because claims 1-2 and 5-11 recite "a corrugated and substantially "W"-shaped support," while claims 1, 3-6, and 9-10 of the copending application recite "cylinder-shaped supports." Thus, withdrawal of the double patenting rejection is respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims, 1-2 and 8-11 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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